

US Serial No. 10/561749
Page 2 of 3

Remarks:

Regarding the restriction / election requirement:

The Examiner has divided the subject matter of the application into three species, namely:

Species 1: the embodiment according to Fig. 1;

Species 2: the embodiment according to Fig. 4;

Species 3: the embodiment according to Fig. 6.

Notwithstanding the assertions of the Examiner, the applicant believes that the subject matter of each of the Species 1, 2 and 3 share a common technical nexus, which would permit for the Examiner to concurrently consider and search the prior art with respect to all of the claims presently outstanding in the application, without causing an undue burden on the Examiner. Thus, withdrawal of the outstanding election of species requirement is respectfully requested.

Nonetheless, if the Examiner does not withdraw the outstanding *Restriction Requirement / Election of Species*, the applicant provisionally elects with TRAVERSE the following:

Species 3: the embodiment according to Fig. 6.

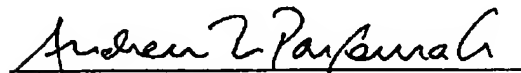
The applicant expressly reserves their right to reinstate any non-elected subject matter indicated this paper in a later filed application, or alternately, re-enter the presently non-elected claims/ species as dependent claims written to encompass limitations of allowable claims and request rejoinder of the subject matter of non-elected claims at a later time.

US Serial No. 10/561749
Page 3 of 3

CONDITIONAL AUTHORIZATION FOR FEES

Should any further fee be required by the Commissioner in order to permit the timely entry of this paper, including any extension of time fees, the Commissioner is authorized to charge any such fee to Deposit Account No. 14-1263.

Respectfully Submitted;



Andrew N. Parfomak, Esq.
Reg.No. 32,431
Norris, McLaughlin & Marcus, PC
875 Third Avenue, 18th Floor
New York, NY 10022

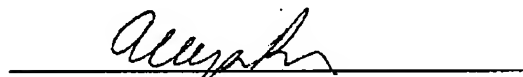
16 October 2009

Date:

Tel: 212 808-0700

CERTIFICATION OF TELEFAX TRANSMISSION:

I hereby certify that this paper and all attachments thereto is being telefax transmitted to the US Patent and Trademark Office to telefax number: 571 273-8300 on the date shown below:



Allyson Ross

16 Oct 2009

Date:

C:\ANPCMB\102792\133\ResponseRestrictionRequirement.doc